IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JUDRISDICTION
Dated Nainital the June 28th, 2006
Bail Application No. 975 of 2005

Order on the bail application of accused.

CRIMINAL SIDE

Tasleem S/o Mohammad Yunus
R/o Khatari, Ramnagar
At present: Judge Farm, Hiranagar
Police station- Haldwani
District Haldwani …… Applicant

Versus

State of Uttaranchal ……. Opposite Party

In Case Crime No. 6704 of 2005
U/s 302 I.P.C.
Police Station – Haldwani
District- Nainital

Hon'ble J.C.S. Rawat, J.

Heard Smt. Pushpa Joshi-learned counsel for the applicant, learned AGA for the State and perused the record.

It is the prosecution case that a telephonic message was received on 06.07.2005 and thereafter the senior Sub inspector alongwith the patrolling party immediately rushed to the place of the incident near S.P.R. Office at Hiranagar, Haldwani where they found a lady with burn injuries and she disclosed her name as Geeta w/o Tasleem. She stated that her husband poured kerosene oil and alighted matchstick on her. She was admitted to the hospital in a bad condition where died on 12.07.2005. During the period when she was admitted in the hospital, a dying declaration was recorded where she had implicated the present accused-applicant. There are two dying declarations in this matter. The first one was before the Senior Sub Inspectior-Ramesh Chandra Makholia and the other one was recorded by the Tehsildar.

Considering the facts and circumstance of the case in totality, it is not a fit case for bail at this stage.

The bail application is rejected accordingly.

(J.C.S. Rawat, J.)

Dated 28.06.2006
Shiv